

ORDINANCE NO. 199

AN ORDINANCE OF THE CITY OF TIOGA, GRAYSON COUNTY, TEXAS PROVIDING CERTIFICATES OF OCCUPANCY MUST BE ISSUED ON ALL STRUCTURES WHEN OCCUPANCY CHANGES; PROVIDING A SAFETY CHECKLIST TO RECEIVE A CERTIFICATE OF OCCUPANCY; PROVIDING UTILITIES WITHHELD UNTIL CERTIFICATE OF OCCUPANCY IS ISSUED; ESTABLISHING PLUMBING REQUIREMENTS AS SPECIFIED BY THE TNRCC; PROVIDING A FEE; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A REPEAL CLAUSE.

WHEREAS, The City of Tioga City Council has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Tioga, Texas ('Tioga') to require certificates of occupancy on all buildings when the occupancy changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF TIOGA, TEXAS;

SECTION 1. Certificates of Occupancy

- a. A Certificate of Occupancy must be issued on all buildings/structures in all zoning districts when a new occupancy occurs, or occupancy changes. This requirement also applies to new construction and/or remodeled buildings/structures. The Certificate of Occupancy must be accompanied by a safety checklist of inspection, covering all items that will be inspected (see Attachment A), prior to issuance of the Certificate of Occupancy. Said certificate of Occupancy must be obtained before the utilities are turned on and the building/structure is occupied. This ordinance does not waive any other Certificate of Occupancy, which may be required by another City Ordinance.
- b. The fee for the Certificate of Occupancy inspection may be paid by either the landlord or the tenant.
- c. The fee for this Certificate of Occupancy is \$10.00.
- d. The provisions of this section of this ordinance are designed specifically to provide for the safety and well being of the tenants who are to occupy said buildings.
- e. The City Council will appoint a designee to issue a written list of violations that must be corrected before the property may be occupied by a tenant; or will instruct in writing the City Secretary to issue the Certificate of Occupancy as soon as the property has been inspected and found to be suitable for occupancy.
- f. If the initial inspection finds the property does not pass the safety inspection, the designee appointed to inspect the property will issue a list of repairs that must be completed before the Certificate of Occupancy is issued; when the repairs are completed the designee will re-inspect the property and if the repairs are in order, will issue the Certificate of Occupancy.
- g. The fee for this additional inspection and/or any other additional inspections made until the building passes the inspection is ten dollars (\$10.00).

SECTION 2. Effective Date

This Ordinance shall be effective upon its passage and publication of caption in the official newspaper of the City of Tioga as provided by State Law. The fact that the City of Tioga is in immediate need of the relief afforded by the Ordinance creates an emergency and any and all rules requiring ordinances to be read at more than one meeting is suspended.

SECTION 3. Severability Provision

Should any section, subsection, sentence, clause or phrase of the Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this ordinance shall remain in full force and effect. The City Council for the City of Tioga hereby declares that it would have passed this Ordinance and each section, subsection clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

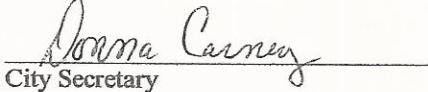
SECTION 4. Repeal Provision

All provisions of any ordinances in conflict with this Ordinance are hereby repealed, but shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance.

DULY PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF TIOGA, TEXAS on this the 11th day of June, 2001.


Mayor

Attest:


City Secretary

ATTACHMENT "A"

CITY OF TIOGA

CERTIFICATE OF OCCUPANCY INSPECTION CHECKLIST

ELECTRICAL

1. Plug and Switch Covers _____
2. Plug/Switches _____
3. Light Fixtures _____
4. Fuse Panel and Breaker Box Covers _____
5. Breakers or Fuses _____
6. Exposed and/or naked wiring _____
7. Smoke Detectors _____

STRUCTURAL

1. Exterior doors _____
2. Windows (replace broken glass) _____
3. Porches(ck for dangerously unstable) _____
4. Floors (ck for dangerously unstable) _____
5. Walls (ck for holes to outside) _____
6. Ceiling (ck for damage that makes it unsafe) _____
7. Address posted that can be seen from street _____

PLUMBING

1. Drains-lavatory, sink, tub, shower washer _____
2. Faucets-lavatory, sink, tub, shower, washer _____
3. Toilets _____
4. Exposed vent stacks for drains _____
5. Hot water heater vents through roof _____
6. Exposed water pipes or drain pipes _____

ADDITIONAL PLUMBING REGULATIONS PER TNRCC

Residential

1. Check for private water well hooked into public system _____
2. Check for lawn sprinkler or watering devices for livestock hooked into public water
System _____
3. Check for ball-cock in commode tank. Must be anti-siphon type with valve above
water line _____
4. Check for pressure temperature valve on hot water heater _____
5. Check for vacuum breakers on all outside hose bibs _____

Commercial

1. Check for grease traps at cafes and restaurants _____
2. Check for back-flow devices on car washes and laundries _____

Occupant Name _____ Address _____

Date _____ Building Official Signature _____